

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599



PATENT APPLICATION

ATTORNEY DOCKET NO. 10004331-1

2638

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Kenneth A. Nishimura & Jonathan Simon

Serial No.: 10/087,386

Examiner: Dzung D. Tran

Filing Date: 3/1/2002

Group Art Unit: 2638

Title: An Optical Signal Multiplexer/Demultiplexer Employing Pseudorandom Mode Modulation

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

10/06/2005 AKELECH1 00000019 501078 10087386
01 FC:1806 180.00 DA

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- () under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- () under 37 CFR 1.97(c) together with either a:
() Statement under 37 CFR 1.97(e), or
() a \$180.00 Processing fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- (X) under 37 CFR 1.97 (d) together with a:
() Statement under 37 CFR 1.97(e), and
(X) a \$180.00 processing fee under 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Please charge to Deposit Account 50-1078 the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

(X) Applicant(s) submit herewith Form PTO 1449. References identified with an asterisk (*) were disclosed in Patent Application No. _____ filed _____, now U. S. Patent No. _____, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR 1.98(d).

() A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 10/3/2005

Typed Name: Sherre Anne Treat

Signature: Sherre Treat

Respectfully submitted,

Kenneth A. Nishimura & Jonathan

By Michael H. Jester ✓

Attorney/Agent for Applicant(s)
Reg. No. 28,022

Date: 10/3/2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)		
Ken A. Nishimura et al.)	Confirmation No.:	6282
)		
Patent Appl. No.:)	Examiner:	Tran, Dzung D.
10/087,386)		
)		
Filed on:)	Group Art Unit:	2633
Mar 01, 2002)		
)		
For:)		
<i>An Optical Signal Multiplexer/</i>)		
<i>Demultiplexer Employing</i>)		
<i>Pseudorandom Mode Modulation</i>)		

STATEMENT UNDER 37 CFR §1.97(e)

MS - AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-4150

Dear Sir:

U.S. Patent No. 3,956,626, as referenced on sheet 6 of 6 of Form PTO-1449 transmitted herewith, was cited in the European Patent Office's Search Report during prosecution of EPO Application No. EP02 02 3243, which is a counterpart to the subject U.S. patent application. A copy of said Report, bearing the August 17, 2005 date stamp of Applicant's foreign patent agents (Forrester & Hoemert), and including the referenced U.S. patent, is transmitted herewith.

Respectfully submitted,

Michael H. Jester
Reg. No. 28,022
Attorney for Applicants

Form PTO-1449

Docket No.: 2780-11

Application No.: 10/087,386

Applicant: Kenneth A. Mishimura

Filing Date: March 1, 2002

Group Art Unit: 2638

(Use Several Sheets If Necessary)

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.
(2/92 PTO)